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Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the initial report of the Gambia*

I. General information

1. Please clarify the status of the Covenant within the domestic legal system and indicate whether it is directly applicable in the State party. Please indicate whether the rights enshrined in the Covenant have been invoked before and/or applied by national courts, either as grounds for a case or as interpretative guidance for legal norms.

2. Please provide information on measures taken to raise awareness of the Covenant among the judiciary, public prosecutors, lawyers and the general public.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 2 (1) – Maximum available resources

3. Please provide information on effective measures that the State party has taken to combat corruption in the context of maximizing resources available for the promotion and enjoyment of economic, social and cultural rights. Please also provide information on the protection afforded to persons who report cases of corruption.

Article 3 – Equal rights of men and women

4. Please provide information, also in accordance with the article 2, paragraph 2, of the Covenant, on the concrete measures taken towards ensuring equal enjoyment for men and women of the Covenant rights in respect of marriage, divorce and inheritance.

5. Please provide information on the specific measures taken by the State party to increase the representation of women in senior positions in State bodies, including the legislative, executive and judicial bodies. Please also provide updated information on the implementation of the National Gender Policy 2010–2020 and the results achieved to date relating to the equal enjoyment of economic, social and cultural rights.

* Adopted by the pre-sessional working group at its fifty-third session (26–30 May 2014).

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

6. Please provide information on steps taken to tackle unemployment and provide statistical data on progress achieved in that regard.

Article 7 – The right to just and favourable conditions of work

7. Please provide updated information on progress made towards introducing a national minimum wage, with a view to providing workers and their families with a decent standard of living.

8. Please explain how the draft law on violence against women and girls addresses sexual harassment in the workplace, as mentioned in paragraph 80 of the State party report, and describe the mechanisms for monitoring the implementation of the law, once it is adopted. Please indicate the number of registered cases of sexual harassment in the workplace, the sanctions imposed on perpetrators and the measures taken to compensate and assist victims.

Article 8 – Trade union rights

9. Please provide the Committee with information on collective bargaining mechanisms in the State party. Please explain why Joint Industrial Councils have not been constituted under the Labour Act and whether that has affected the labour rights framework.

Article 9 – The right to social security

10. Please provide information on the percentage of the population covered by contributory social security schemes that entitle members to retirement benefits, medical insurance and unemployment benefits. Please explain how the State party plans to achieve progressively the full realization of universal social security coverage.

11. Please indicate whether there are legally established and periodically reviewed minimum benefits in place for public sector civil servants, and whether they are sufficient to guarantee an adequate standard of living.

Article 10 – Protection of the family, mothers and children

12. Please inform the Committee about specific steps taken to tackle the issue of the child marriage.

13. Kindly provide information on the specific action taken by the State party to tackle domestic violence, as mentioned in paragraph 112 of the State party report. Please indicate whether there is a national action plan in place to tackle domestic violence and provide information on measures in place to support and rehabilitate victims.

14. Please provide information about the budgetary allocations and specific measures taken to ensure the implementation of the economic, social and cultural rights of children, especially disadvantaged and marginalized children.

15. Please inform the Committee about the steps taken by the State party to ensure that all forms of physical and mental violence against children are expressly prohibited in all settings.

16. Please explain the measures taken by the State party to enforce the legislation regulating child labour. Please provide information on the number of complaints, investigations, prosecutions and sentences imposed in that regard.

Article 11 – The right to an adequate standard of living

17. Please provide information, including disaggregated data, on measures taken to ensure the availability of sufficient affordable food to satisfy the entire population's nutritional needs. Please provide updated information on the 2010–2015 draft strategic plan for the implementation of the National Nutrition Policy.

18. Please inform the Committee about the effect that the 2012–2015 Programme for Accelerated Growth and Employment has had to date on growth and employment. Please also describe the impact it has had on poverty reduction.

19. Please provide information on the availability and the adequacy of housing in the State party. Please include disaggregated data on housing without access to basic infrastructure and services, such as water, sanitation and electricity.

Article 12 – The right to health

20. Please inform the Committee about the specific measures taken to improve the staffing of health facilities which, according to the 2010 State party report to the Working Group on the Universal Periodic Review, was highly inadequate (A/HRC/WG.6/7/GMB/1, para. 93).

21. Please explain the steps taken by the State party to accelerate progress in reducing the high child and maternal mortality rates.

22. Please provide information on steps taken by the State party to combat the prevalence of female genital mutilation/cutting and progress achieved in that regard. Please indicate whether the State party is monitoring progress through regular statistical surveys.

Articles 13 and 14 – The right to education

23. Please inform the Committee about specific measures the State party has taken to ensure universal enrolment of children in primary school and to reduce the alarming school dropout rate. Please also indicate the measures the State party has taken to address the underlying reasons why children drop out of school, including on so-called religious grounds and owing to the charges incurred for books and uniforms.

Article 15 – Cultural rights

24. Please provide information on the measures taken to enable the most disadvantaged and marginalized groups, including those in rural and deprived urban areas, to have access to and enjoy the right to take part in cultural life, and the impact of those measures.

25. Please indicate the measures taken to ensure the greatest possible access to the Internet.